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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 353/2024 & I.A. 9755/2024, 30716/2024

TESLA INC.

.....Plaintiff

Through: Mr. Chander M. Lall, Sr. Advocate
with Ms. Nancy Roy, Mr. Raghav
Malik, Ms. Prakriti Varshney, Ms.
Ananya Chug and Mr. Prashant,
Advocates.

versus

TESLA POWER INDIA PRIVATE LIMITED & ORS.

.....Defendants

Through: Mr. J. Sai Deepak, Mr. Mohit Goel,
Mr. Sidhant Goel, Mr. Abhishek
Kotnala, Mr. Kartikeya Tandoon, Ms.
Aishna Jain, Mr. Satish Ahuja, Mr. A.
Mishra and Mr. Avinash Sharma,
Advocates.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

04.07.2024

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1. The present suit has been filed for permanent and Mandatory injunction, and damages for infringement of trademarks, passing off and unfair trade competition under Section 134 (1) read with Sections 27 and 29 of the Trademarks Act, 1999.

2. Mr. J. Sai Deepak, learned counsel appearing for the defendants, under instructions, from Mr. Mohit Goel, Advocate submits that undertaking, that was made on 02nd May, 2024, and reiterated on 28th May,

2024, is still being abided by the defendants.

3. He further submits that they have received a copy of rejoinder filed by the plaintiff yesterday. He submits that, in view of the submissions made on behalf of the plaintiff in the said rejoinder, the defendants may be granted liberty to file a sur-rejoinder.

4. Liberty is granted. Let sur-rejoinder be filed by the defendants, within a period of four weeks.

5. At this stage, upon a query from the Court, learned counsel appearing for the defendants submits, that they are open to mediation.

6. Mr. C.M. Lall, learned Senior Counsel appearing for the plaintiff submits that he has no objection, if the matter is sent for mediation.

7. Accordingly, with the consent of both the parties, the matter is referred to Delhi High Court Mediation and Conciliation Centre, to be referred to Senior Mediator.

8. Parties are directed to appear before Delhi High Court Mediation and Conciliation Centre, on 18th July, 2024.

9. List before Court, on 18th September, 2024.

10. Copy of this order shall be sent to the Delhi High Court Mediation and Conciliation Centre, forthwith.

MINI PUSHKARNA, J

JULY 04, 2024/ssc